

**Iowa Dental Board
Annual Regulatory Plan
July 2008 – June 2009**

In accordance with Executive Order Number Nine, issued by Governor Vilsack on September 13, 1999, the Iowa Dental Board has prepared a regulatory plan for fiscal year 2009. This regulatory plan lists each regulatory action that the agency reasonably expects to issue during fiscal year 2009 and contains the following information: (1) a statement of the agency's current regulatory objectives and priorities; (2) a description of each contemplated regulatory action, including alternatives and preliminary estimates of anticipated costs and benefits; (3) a summary of the legal basis for each action; (4) a statement of the need for each action; (5) the contemplated schedule for the action; and (6) contact information for additional information about the proposed actions.

Regulatory Objectives and Priorities

The Iowa Dental Board is committed to ensuring that the rules issued under their rulemaking authority at Iowa Administrative Code 650 meet the criteria of (a) need; (b) clarity; (c) intent and statutory authority; (d) cost; and (e) fairness. These criteria are consistent with those outlined in Executive Order Number 8. The purpose of the board is to protect public health, safety, and welfare by administering, interpreting, and enforcing the provisions of law that relate to the practice of dentistry, dental hygiene, and dental assisting. The board's regulatory priorities for fiscal year 2009 will be to adopt rules and amendments consistent with the purpose of the board.

Contemplated Regulatory Actions, Need for Action, and Schedule for Action

Chapter # and Title	Description of Action, Alternatives, & Cost	Need/Reason for Action	Schedule for Action
Chapter 15, Fees	Consider specifying that overpayments of \$10 or less will not be refunded. Alternative is to continue to refuse to accept payments that are for an incorrect amount. This can result in delays processing certain requests from licensees or registrants. The cost in staff time to process a refund of \$10 or less would be greater than the refund amount.	Because the agency is unable to issue refunds, requests that include an incorrect fee must be returned to the requested or held until the correct fee is received. This would allow the board to process these requests when there is a minor difference in the fee amount.	2008
Chapter 16, Prescribing	Consider adopting rules specifying requirements for prescribing controlled substances to family members.	To eliminate any ambiguity in what is the standard of care for prescribing controlled substances to family members.	2009

Chapter # and Title	Description of Action, Alternatives, & Cost	Need/Reason for Action	Schedule for Action
	Alternative is to continue to review these cases of inappropriate or indiscriminate prescribing under current board rules without putting explicit clarification in the rules. No direct costs to the agency, licensees or registrants.		
Chapter 27, Standards of Practice & Professional Ethics	Consider adopting amendments to clarify unethical and unprofessional conduct for dental hygienists. Alternative is to leave existing ambiguity in board rules. No direct costs to the agency, licensees, or registrants.	To ensure professional ethics rules for dental hygienists are consistent with those for dentists.	2008
Chapter 29, Sedation and Nitrous Oxide Inhalation Analgesia	Adopt amendments to update sedation definitions and require that a dentist utilizing moderate sedation on pediatric (ages 12 and under) or ASA category 3 or 4 patients must have completed additional training approved by the board, unless the dentist has been providing these services for five years preceding July 1, 2008. Alternative is to continue to review each individual case and restrict permits on an individual basis. No direct costs to the agency or licensees.	To update board rules to reflect recent changes to the American Dental Association's guidelines on sedation and for consistency with ADA training requirements for sedating pediatric and medically compromised patients.	July 2008
Chapter 30, Discipline	Consider adopting amendments to grounds to discipline to clarify that practicing on a lapsed license is also grounds for disciplinary action. Alternative is to leave existing	To clarify that practicing on a lapsed license is also a violation of board rules.	2008

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	ambiguity in board rules. No direct costs to the agency, licensees, or registrants.		

Summary of Legal Basis

The changes proposed to the board's rules would be promulgated under the board's authority to adopt rules given at Iowa Code sections 147.76 and 153.33. The board is responsible for enforcing the provisions of Iowa Code chapters 147, 153, and 272C governing the practice of dentistry.

Additional Information

For additional information about the annual regulatory plan or proposed changes to the rules outlined in this plan, contact the board's rules administrator:

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